

4 MAR 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hanns Rump et al.

Serial No: 09/937,102

Art Unit:

Filing Date:

Title: **SENSOR DEVICE AND METHOD OF DETECTING GASES OR FUMES IN AIR**

March 5, 2002

Attorney's Docket No.: MSA244

**TRANSMITTAL LETTER**

Hon. Commissioner of Patents and Trademarks

BOX PCT

Washington, D.C. 20231

SIR:

Transmitted herewith for filing is:

☒ **Form PTO-1390**

☒ **Response to the Notification of Missing Requirements (3 pages)**

☒ **Copy of Inventor Declaration (11 pages)**

☒ **Copy of returned post card stamped by US PTO**

☒ **Copy of credit card payment form dated December 13, 2001**

☒ **Copy of the Notification of Missing Requirements mailed on 01/17/2002**

☒ **Fee in the amount of \$18.00 is to be charged to a credit card. Form PTO-2038 is enclosed**

(X) The applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for response to any Office Action outstanding in the above captioned matter as necessary to avoid abandonment of the application. Please charge my deposit account No.11-0224 in the amount required to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above account.

(X) The Commissioner is hereby authorized to charge any fees under 35 U.S.C. 1.16, and 1.17, after a mailing of a Notice of Allowance under 35 USC 1.18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Acct. No.11-0224. A duplicate copy of this sheet is enclosed. If and only if account funds should be insufficient, immediately contact our associate, Lisa Zumwalt, at (703)415-0579, who will pay immediately to avoid deprivation of rights.

( ) Please charge my Deposit Account No.11-0224 in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.

A signature or signatures required for the above recited document(s) is (are) provided herebelow. Such signature(s) also provide(s) ratification for any required signature appearing to be defective in the above recited document(s).

*Horst M. Kasper*

Horst M. Kasper, 13 Forest Drive, Warren, N.J.07059

Reg. No. 28,559 Tel.(908)526-1717

**CERTIFICATE OF MAILING Under 37 C.F.R 1.8:**

I hereby certify that the correspondence attached hereto is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231,

on

*March 5, 2002*

Signature: STANISLAW SNIĘCIKOWSKI

Name: STANISLAW SNIĘCIKOWSKI

FORM PTO-1390  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

msa244

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

09/937,102

INTERNATIONAL APPLICATION NO.

PCT/EP00/02389

INTERNATIONAL FILING DATE

17 MARCH 2000

PRIORITY DATE CLAIMED

17 MARCH 1999

TITLE OF INVENTION

SENSOR DEVICE AND METHOD OF DETECTING GASES OR FUMES IN AIR

APPLICANT(S) FOR DO/EO/US HANNS RUMP ET AL

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
  - RESPONSE TO THE NOTIFICATION OF MISSING REQUIREMENTS
  - FEE FOR ADDITIONAL CLAIM



PCT/EP00/02389

17 MARCH 2000

MSA244

21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO..... \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	- 20 =		x \$18.00	\$
Independent claims	- 3 =		x \$80.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$

TOTAL OF ABOVE CALCULATIONS =

\$

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

+

\$ 65.00

SUBTOTAL =

\$

\$ 65.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE =

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

\$ 40.00

TOTAL FEES ENCLOSED =

\$

\$ 105.00

01/29/2002 HINGUYEN 00000083 09937102

01 FC:254

65.00 DP

Amount to be  
refunded:

\$

charged:

\$

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 11-0224. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card  
information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Horst M. Kasper  
13 Forest Drive  
Warren, N.J. 07059

SIGNATURE

HORST M. KASPER

NAME

28,559

REGISTRATION NUMBER

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hanns Rump et al.

Serial No: 09/937,102

Unit:

Filing Date:

Title: SENSOR DEVICE AND METHOD OF DETECTING GASES OR FUMES IN AIR

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March 5, 2002

Attorney's Docket No.: MSA244

**RESPONSE TO THE NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

Commissioner of Patents and Trademarks

**Box PCT**

Washington, D.C. 20231

This is in response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed on January 17, 2002 and setting a period for response expiring on March 17, 2002.

The Notification of Missing Requirements under 35 U.S.C. 371 states that the following items must be furnished within the time period set forth in said Notification in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or Declaration of the inventors, in compliance with 37 CFR 1.63, identifying the application by International application number and international filing date;
- Surcharge for providing the oath or declaration later than appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

In response to the Notification of Missing Requirements under 35 U.S.C. 371, the applicant has acted in regard of the missing requirements and has filed the Declaration and Power of Attorney for Patent Application, German Language Declaration on December 13, 2001 as well as credit card payment form PTO-2038 to cover the late fee of \$65.00 for filing the oath or declaration (37 CFR 1.27). Photocopies of said documents as filed on December 13, 2001 are enclosed herewith.

A copy of the returned postcard stamped by the United States Patent and Trademark Office on January 23, 2002 is enclosed with the present response.

**Additionally the following defects have been observed:**

Additional claim fees of \$18 as a small entity, including any required multiple dependant claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

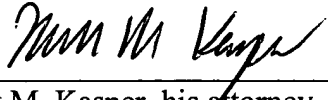
Total additional fees required for this application is \$83.00 for a Small Entity: \$65.00 late oath or declaration Surcharge. Total additional claim fee(s) for this application is \$18.00 for 10 total claims over 20.

Applicant is submitting herewith credit card payment form PTO-2038 to cover the total additional claim fee in the amount of \$18.00.

A copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed on January 17, 2002 is enclosed.

Respectfully submitted,

Hanns Rump et al.

By:   
\_\_\_\_\_  
Horst M. Kasper, his attorney,  
13 Forest Drive, Warren, N.J. 07059  
Tel.:(908)526-6100 Fax:(908)526-6977  
Reg.No. 28559; Docket No.: MSA244

\*%REMAIL(MSA244R3(March 5, 2002(ssp



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 09/937,102	FIRST NAMED APPLICANT Hanns Rump	ATTY. DOCKET NO. MSA244
INTERNATIONAL APPLICATION NO. PCT/EP00/02389		
I.A. FILING DATE 03/17/2000		PRIORITY DATE

Horst M. Kasper  
 13 Forest Drive  
 Warren, NJ 07059

CONFIRMATION NO. 8020  
 371 FORMALITIES LETTER



\*OC000000007304826\*

Date Mailed: 01/17/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).



Additionally the following defects have been observed:

- Additional claim fees of **\$18** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$83** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$18**
  - **\$18** for **10** total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 305-3653

**PART 2 - OFFICE COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/937,102	PCT/EP00/02389	MSA244